

## **Chapter 5.28**

### **PEDDLERS AND ITINERANT MERCHANTS**

#### **Sections:**

**5.28.010 License required when.**

**5.28.020 Exemptions—Affidavit to be filed—Charitable solicitations.**

**5.28.030 License—Fee—Validity.**

**5.28.040 Restrictions on property entry and sales conduct.**

**5.28.050 Penalty for violation.**

**5.28.010 License required when.** Except as otherwise provided, no person shall hawk or peddle to or among dealers or consumers, merchandise or other articles of value, except milk, within the corporate limits of the city, without first procuring a license therefor as provided in this chapter. (Prior code § 17.501).

**5.28.020 Exemptions — Affidavit to be filed — Charitable solicitations.** A. This chapter shall not be construed to apply to or prohibit any farmer, fruit or vine grower or gardener from selling the products of his farm, orchard, vineyard or garden in any place or market in the city where such articles are usually sold, or in any quantity that he may think proper without any license for doing so, so long as he does not obstruct the alleys and streets and other public grounds in the city; provided, that nothing in this section shall be so construed as to authorize the sale of spirituous, vinous, malt or intoxicating liquors, or peddling of any kind whatsoever in any of the public parks.

B. This chapter shall not be construed so as to prevent any veteran on behalf of local chapters of nationally organized veterans' organizations, for programs officially recognized by such organizations, from vending, hawking and peddling goods, wares, fruits or merchandise not prohibited by law. All persons desiring to peddle in the city shall make and file with the city clerk an affidavit stating whether he proposes to peddle his own products as defined herein, or for himself only.

C. The city shall compile and maintain a list of charitable organizations for which charitable solicitations shall be permitted without further registration on or off the streets of Hoopeson. No charitable organization shall be listed by the city if the anticipated cost of solicitation will be excessive in relation to the expected gross to be raised, or if such cost has been excessive during any of the three years immediately preceding the date of application. Any such cost in excess of twenty percent of the amount collected shall be deemed to be unreasonable unless special facts or circumstances are presented showing that a cost higher than twenty percent is not unreasonable. It is further required of the organization evidence that it has obtained, insurance providing coverage for bodily injury liability in the amount of one hundred thousand dollars and no cents for any individual and three hundred thousand dollars and no cents for any occurrence. Such policy shall name the city as an additional insured. (Ord. 80-18, 1979; prior code § 17.502).

**5.28.030 License — Fee — Validity.** The license fee is twenty-five dollars per day or fifty dollars per year. No license shall be valid for more than one person, firm or

corporation, nor for more than one place of business and only one person shall operate under each license. (Prior code § 17.503).

**5.28.040 Restrictions on property entry and sales conduct.** No peddler or solicitor shall enter any private dwelling in the city without being admitted into the same, nor shall he insist upon showing or sale of his goods to any person therein after being told that he does not wish to purchase the same, nor shall he otherwise vex or annoy any person, nor shall he enter upon the property of another for the purposes of any kind or type of solicitation where there is a sign affixed in plain view stating “NO SOLICITORS.” (Ord. 80-27, 1979: prior code § 17.504).

**5.28.050 Penalty for violation.** Any person, firm or corporation violating any of the provisions of this chapter shall be subject to a fine as provided in Section 1.12.0 10. (Prior code § 17.505).